

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ DEC 14 2012 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

----- X  
WILLIAM HERMANEK and WILLIAM McCLEAN,  
on behalf of themselves and all others similarly situated,

: Docket No.:  
: 11-CV-5498 (LDW) (ETB)

Plaintiffs,

: STIPULATION OF DISMISSAL  
: WITH PREJUDICE

- against -

PRIME DIAGNOSTIC IMAGING CORP.,

Defendant.  
----- X

IT IS HEREBY STIPULATED AND AGREED, by and between the parties in the above captioned action, through the undersigned counsel, that, in accordance with Rule 41 of the Federal Rules of Civil Procedure, the action be dismissed with prejudice and without costs or attorney's fees (other than those specified in the Settlement Agreement).

Dated: Melville, New York  
November 30, 2012

**Shulman Kessler LLP**  
*Attorneys for Plaintiffs*

**Vishnick McGovern Milizio LLP**  
*Attorneys for Defendant*

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**So Ordered:**

~~/s/ Leonard D. Wexler~~  
U.S.D.J.

Central Islip, NY  
12/14/12